

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant Antonia Pleasant's Unopposed Motion to Continue Trial and Related Dates and Motion Deadline [Doc. 18], filed on February 29, 2024.

Defendant Pleasant asks the Court to continue trial and all deadlines in this matter and specifically requests that the motions deadline be rescheduled for March 22, 2024 [Doc. 18 p. 1]. In support of his motion, Defendant asserts that despite reasonable diligence, defense counsel is not ready for a hearing [*Id.*]. Counsel requires additional time to further conduct legal research regarding potential pretrial motions and to meet with Defendant to discuss discovery and research [*Id.*]. Defendant understands that the period of time between the filing of this motion for a continuance and a rescheduled trial date shall be fully excludable for speedy trial purposes [*Id.* at 2]. The Government does not oppose the requested relief [*Id.*].

The Court finds the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In making this determination, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B).

Specifically, considering the information presented in the motions, the Court concludes that not granting a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Counsel for Defendant Pleasant needs more time to review discovery, investigate the facts of the case, and otherwise prepare for trial. The Court finds that all of this cannot occur before the April 2, 2024 trial date.

The Court therefore **GRANTS** Defendant Pleasant's Unopposed Motion to Continue Trial and Related Dates and Motion Deadline [**Doc. 18**]. The trial of this case is reset to **June 18, 2024**. A new, comprehensive trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendants and the public in a speedy trial, all of the time between the filing of the motion on February 29, 2024, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A)–(B).

Accordingly, it is **ORDERED** as follows:

- (1) Defendant Pleasant's Unopposed Motion to Continue Trial and Related Dates and Motion Deadline [**Doc. 18**] is **GRANTED**;
- (2) the trial of this matter is reset to commence on **June 18, 2024, at 9:00 a.m.**, before the Honorable Thomas A. Varlan, United States District Judge;
- (3) all time between the filing of the motion on **February 29, 2024**, and the new trial date of **June 18, 2024**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (4) the deadline for filing pretrial motions is extended to **March 22, 2024**, and responses to motions are due on or before **April 5, 2024**;
- (5) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **May 17, 2024**;
- (6) the deadline for filing motions *in limine* is **June 3, 2024**;

(7) the parties are to appear before the undersigned for a final pretrial conference on **June 4, 2024, at 11:00 a.m.**; and

(8) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **June 7, 2024.**

IT IS SO ORDERED.

ENTER:



Jill E. McCook
United States Magistrate Judge